

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Appeal to the Board of Patent Appeals and Interferences

In re Application of: Burghardt, et al.

Group Art Unit: 1618

Serial No.: 10/757,834

Examiner: James W. Rogers

Filed: January 15, 2004

Our Customer ID: 22827

For: Modified Siloxane Yielding Transferring Benefits from
Soft Tissue Products

Our Account No.: 04-1403

Sir:

Attorney Ref.: KCX-119-CON (14175.1)

1. ☐ **NOTICE OF APPEAL:** Pursuant to 37 CFR 41.31, Applicant hereby appeals to the Board of Appeals from the decision dated ____ of the Examiner twice/finally rejecting claims ____.
2. ☒ **BRIEF** on appeal in this application pursuant to 37 CFR 41.37 is transmitted herewith (1 copy)
3. ☐ An **ORAL HEARING** is respectfully requested under 37 CFR 41.47 (due within two months after Examiner's Answer).
4. ☐ Reply Brief under 37 CFR 41.41(b) is transmitted herewith (1 copy).
5. ☐ "Small entity" verified statement filed: ☐ herewith ☐ previously.

6. **FEE CALCULATION:**

	Fees
If box 1 above is X'd enter \$500.00	\$ _____
If box 2 above is X'd enter \$500.00	\$ <u>500.00</u>
If box 3 above is X'd enter \$1,000.00	\$ _____
If box 4 above is X-d enter -0- (no fee)	\$ _____

Petition is hereby made to extend the original due date of
3/22/07 to cover the date of this paper and
any enclosure for which the requisite fee is (1 month \$120);
(2 months \$450); (3 months \$1,020); (4 months \$1,590),
(5 months \$2,160)

Less any previous extension fee paid since above
original due date.

	\$ <u>450.00</u>
Subtotal	\$ <u>950.00</u>
	- \$ _____
Subtotal	\$ <u>950.00</u>
	- \$ _____
TOTAL FEE	\$ <u>950.00</u>

If "small entity" box 5 above is X'd, enter one-half
(1/2 of subtotal and subtract)

- ☐ Fee enclosed.
- ☐ Charge fee to our Deposit Account/Order Nos. in the heading hereof (for which purpose one additional copy of this sheet is attached)
- ☒ Charge to credit card (attach Credit Card Payment Form – PTO 2038)
- ☐ Fee NOT required since paid in prior appeal in which the Board of Appeals did not render a decision on the merits.

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. show in the heading hereof. This statement does not authorize charge of the issue fee in this case.

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DORITY & MANNING, ATTORNEYS AT LAW, P.A.

By: Neil M. Batavia Reg. No.: 54,599
Signature: 
Date: May 22, 2007

I hereby certify that this correspondence is being transmitted via the internet to: Commissioner for Patents, U.S. Patent and Trademark Office, via the Electronic Filing System, on May 22, 2007.

Denise Bulkeley

(Typed or printed name of person transmitting paper or fee)



(Signature of person transmitting paper or fee)